

AMENDMENTS TO THE CLAIMS

The following is a marked-up version of the claims with the language that is underlined (“___”) being added and the language that contains strikethrough (“—”) being deleted:

1. (Currently Amended) A method for providing improved availability of purchasable recordable media content downloaded from a remote server, said method comprising the steps of:

providing a download option to a user, the download option associated with a purchasable recordable media content instance and comprising a plurality of times at which an indication of when the purchasable recordable media content instance may be downloaded; and updating the download option proximately in time to when a change in download resources changes the availability of the download option.

2. (Original) The method of claim 1, further comprising the step of receiving notice from the remote server when the download resources change.

3. (Original) The method of claim 1, further comprising the step of displaying the download option on a display device.

4. (Original) The method of claim 1, wherein the step of updating further comprises the step of omitting the download option that is no longer available to the user due to a greater than scheduled use of the download resources.

5. (Original) The method of claim 1, wherein the step of updating further comprises the step of adding a download option that is available to the user due to a less than scheduled use of the download resources.

6. (Original) The method of claim 5, wherein the added download option is available due to a second user canceling a previously selected download option.

7. (Original) The method of claim 5, wherein the added download option is available to the user over a plurality of time intervals.

8. (Original) The method of claim 1, wherein the step of updating occurs on a periodic schedule ahead of the start time of a next predefined download schedule.

9. (Original) The method of claim 1, wherein the step of updating occurs upon the user requesting the download option.

10. (Original) The method of claim 1, wherein the step of updating further comprises the step of updating pricing for the download option.

11. (Currently Amended) The method of claim 1, further comprising the step of requesting the download of the purchasable recordable media content instance, wherein said download is defined by the download option that is selected by the user.

12-14. (Cancelled)

15. (Currently Amended) The method of claim 11, wherein the purchasable recordable media content instance is downloaded throughout a duration of a plurality of time intervals depending in part on whether the download resources are available for providing the purchasable recordable media content instance to the user.

16. (Currently Amended) The method of claim 11, wherein the purchasable recordable media content instance to be downloaded is stored in a video on demand server.

17. (Currently Amended) The method of claim 11, wherein the purchasable recordable media content instance to be downloaded is stored in a broadcast file server.

18. (Original) The method of claim 1, wherein the download resources comprise downstream bandwidth, signaling support, and server storage.

19. (Currently Amended) The method of claim 1, further comprising the step of notifying the user when the download of the purchasable recordable media content instance is completed.

20. (Original) The method of claim 19, wherein the step of notifying further includes the step of providing an audible signal.

21. (Original) The method of claim 19, wherein the step of notifying further includes the step of providing a graphical message on a display device.

22. (Original) The method of claim 19, wherein the step of notifying further includes the step of providing a displayed code on a media client device.

23. (Original) The method of claim 19, wherein the step of notifying further includes the step of providing visual and aural notification.

24. (Currently Amended) The method of claim 1, further comprising the step of storing purchasable recordable media content instance information, the download option, and a pricing option associated with the download option, in a data structure.

25. (Currently Amended) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the

purchasable recordable media content instance to be downloaded earlier in time than the initially selected download option.

26. (Currently Amended) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content instance to be downloaded at a later time than the initially selected download option.

27. (Currently Amended) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content instance to be downloaded over a different duration than the initially selected download option.

28. (Currently Amended) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content instance to be downloaded at the same time as the initially selected download option, but at a different quality level.

29. (Currently Amended) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the purchasable recordable media content instance to be downloaded at a different time and at a different quality level than the initially selected download option.

30. (Currently Amended) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables the user to be placed on stand-by for receiving the purchasable recordable media content instance of the initially selected download option.

31. (Currently Amended) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an updated download option that, if selected, enables other purchasable recordable media content instance to be downloaded in place of the purchasable recordable media content instance of the initially selected download option.

32. (Currently Amended) The method of claim 1, further comprising the steps of providing the user notice that the download option, selected before the download resource change, is unavailable, and providing an over-ride option that, if selected, enables the user to over-ride the unavailability status and receive the initially selected purchasable recordable media content instance by paying a premium.

33. (Original) The method of claim 1, wherein the steps of providing and updating the download option further include the steps of providing and updating pricing for the download option.

34. (Original) The method of claim 1, wherein the steps of providing and updating further include the steps of providing and updating a plurality of download options.

35-36. (Cancelled)

37. (Currently Amended) A media system for providing improved availability of purchasable recordable media content downloaded from a remote server, said media system comprising:

a memory with logic; and

a processor configured with the logic to provide a plurality of download options to a user, each of the download options associated with the same purchasable recordable media content instance and comprising an indication of when the purchasable recordable media content instance may be downloaded, wherein the processor is further configured with the logic to update each of the download ~~option~~ options proximately in time to when a change in download resources changes the availability of the corresponding one of the download options.

38. (Original) The media system of claim 37, wherein the processor is further configured with the logic to receive notice from the remote server when the download resources change.

39. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to display the download ~~option~~ options on a display device.

40. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to omit each of the download ~~option~~ options that is no longer available to the user due to a greater than scheduled use of the download resources.

41. (Original) The media system of claim 37, wherein the processor is further configured with the logic to add a download option that is available to the user due to a less than scheduled use of the download resources.

42. (Original) The media system of claim 41, wherein the added download option is available due to a second user canceling a previously selected download option.

43. (Original) The media system of claim 41, wherein the added download option is available to the user over a plurality of time intervals.

44. (Original) The media system of claim 37, wherein the processor is further configured with the logic to update on a periodic schedule ahead of the start time of a next predefined download schedule.

45-46. (Cancelled)

47. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to request the download of the purchasable recordable media content instance, wherein said download is defined by one of the download ~~option~~ options that is selected by the user.

48. (Currently Amended) The media system of claim 47, wherein the purchasable recordable media content instance is downloaded as an in-band file transmission.

49. (Currently Amended) The media system of claim 47, wherein the purchasable recordable media content instance is downloaded as an out-of-band file transmission.

50. (Currently Amended) The media system of claim 47, wherein the purchasable recordable media content instance is downloaded as a video on demand session, in-band transmission.

51. (Currently Amended) The media system of claim 47, wherein purchasable recordable media content instance is downloaded throughout a duration of a plurality of time intervals depending in part on whether the download resources are available for providing the purchasable recordable media content instance to the user.

52-53. (Cancelled)

54. (Original) The media system of claim 37, wherein the download resources comprise downstream bandwidth, signaling support, and server storage.

55. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to notify the user when the download of the purchasable recordable media content instance is completed.

56. (Original) The media system of claim 55, wherein the processor is further configured with the logic to provide an audible signal.

57. (Original) The media system of claim 55, wherein the processor is further configured with the logic to provide a graphical message on a display device.

58-59. (Cancelled)

60. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to store purchasable recordable media content information, one of the download ~~option~~ options, and a pricing option associated with the download option, in a data structure.

61. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that one of the download ~~option~~ options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content instance to be downloaded earlier in time than the initially selected download option.

62. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that one of the download ~~option~~ options, selected before the download resource change, is unavailable, and provide an updated

download option that, if selected, enables the purchasable recordable media content instance to be downloaded at a later time than the initially selected download option.

63. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that one of the download ~~option~~ options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content instance to be downloaded over a different duration than the initially selected download option.

64. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that one of the download ~~option~~ options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content instance to be downloaded at the same time as the initially selected download option, but at a different quality level.

65. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that one of the download ~~option~~ options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the purchasable recordable media content instance to be downloaded at a different time and at a different quality level than the initially selected download option.

66. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that one of the download ~~option~~ options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables the user to be placed on stand-by for receiving the purchasable recordable media content instance of the initially selected download option.

67. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that one of the download ~~option~~ options, selected before the download resource change, is unavailable, and provide an updated download option that, if selected, enables other purchasable recordable media content to be downloaded in place of the purchasable recordable media content instance of the initially selected download option.

68. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to provide the user notice that one of the download ~~option~~ options, selected before the download resource change, is unavailable, and provide an over-ride option that, if selected, enables the user to over-ride the unavailability status and receive the initially selected purchasable recordable media content instance by paying a premium.

69. (Original) The media system of claim 37, wherein the processor is further configured with the logic to provide and update pricing for each of the download ~~option~~ options.

70. (Cancelled)

71. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to download the purchasable recordable media content instance into a portable medium in a portable media drive coupled to a media client device at a faster rate than the real-time playback rate.

72. (Currently Amended) The media system of claim 37, wherein the processor is further configured with the logic to download the purchasable recordable media content instance into a portable medium in a portable media drive coupled to the media client device at a slower rate than the real-time playback rate.

73-75. (Cancelled)

76. (Currently Amended) A method for providing improved availability of purchasable recordable media content downloaded from a remote server, said method comprising the steps of:

displaying a list of download options to a user, each of the download options associated with the same one of a plurality of purchasable recordable media content instances;

adding a new download option to the list of ~~provided~~ download options, proximately in time to when a portion of download resources are freed up;

removing one of the ~~provided~~ download options from the list of download options proximately in time to when the download resources are insufficient to support the ~~omitted~~ removed download option; and

providing alternate download options after one of the download options has been selected but the download resources are insufficient to support the selected download option.

77. (Original) The method of claim 76, further comprising the step of adapting the download options over a plurality of time intervals.

78. (Currently Amended) A media system for providing improved availability of purchasable recordable media content downloaded from a remote server, said media system comprising:

a memory with logic; and

a processor configured with the logic to ~~display~~ provide a list of download options to a user, the list associated with a purchasable recordable media content instance and a time at which the purchasable recordable media content instance may be downloaded, wherein the processor is further configured with the logic to add a new download option proximately in time to when a portion of download resources are freed up, wherein the processor is further configured with the logic to remove one of the download options ~~[[to]]~~ from the list of provided download options, proximately in time to when the download resources are insufficient to

support the ~~omitted~~ removed download option, wherein the processor is further configured with the logic to provide alternate download options after one of the download options has been selected but the download resources are insufficient to support the selected download option.

79. (Original) The media system of claim 78, wherein the processor is further configured with the logic to adapt the download options over a plurality of time intervals.

80-81. (Cancelled)

82. (Previously Presented) A method for providing improved availability of purchasable recordable media content downloaded from a remote server, said method comprising the steps of:

providing a list of download options for a media content instance to a user, each download option comprising a content quality description and an indication of when the purchasable recordable media content may be downloaded; and

updating the list of download options proximately in time to when a change in download resources changes the availability of one of the download options.

83. (Previously Presented) The method of claim 82, wherein the step of updating further comprises the step of omitting one of download options that is no longer available to the user due to a greater than scheduled use of the download resources.

84. (Previously Presented) The method of claim 84, wherein the step of updating further comprises the step of adding to the list a download option that is available to the user due to a less than scheduled use of the download resources.

85. (Previously Presented) The method of claim 84, wherein the added download option is available due to a second user canceling a previously selected download option.

86. (Previously Presented) The method of claim 84, wherein the added download option is available to the user over a plurality of time intervals.

87. (Previously Presented) The method of claim 82, wherein the step of updating occurs on a periodic schedule ahead of the start time of a next predefined download schedule.

88. (Previously Presented) The method of claim 82, wherein the step of updating occurs upon the user requesting the download option.

89. (Previously Presented) A media system for providing improved availability of purchasable recordable media content downloaded from a remote server, said media system comprising:

a memory with logic; and

a processor configured with the logic to provide a list of download options for a media content instance to a user, each download option comprising a content quality description and an indication of when the purchasable recordable media content may be downloaded, and the processor is further configured, with the logic, to update the list of download options proximately in time to when a change in download resources changes the availability of one of the download options.

90. (Currently Amended) The system of claim ~~82-89~~, wherein the processor is further configured, with the logic, to provide the user notice that one of the download options, selected before the download resource change, is unavailable, and to provide another download option that, if selected, enables the purchasable recordable media content instance to be downloaded earlier in time than the initially selected download option.

91. (Currently Amended) The system of claim ~~82-89~~, wherein the processor is further configured, with the logic, to provide the user notice that the download option, selected

before the download resource change, is unavailable, and to provide another download option that, if selected, enables the purchasable recordable media content instance to be downloaded at a later time than the initially selected download option.

92. (Currently Amended) The system of claim ~~82-89~~, wherein the processor is further configured, with the logic, to provide the user notice that the download option, selected before the download resource change, is unavailable, and to provide another download option that, if selected, enables the purchasable recordable media content instance to be downloaded over a different duration than the initially selected download option.

93. (Currently Amended) The system of claim ~~82-89~~, wherein the processor is further configured, with the logic, to provide the user notice that the download option, selected before the download resource change, is unavailable, and to provide another download option that, if selected, enables the purchasable recordable media content instance to be downloaded at the same time as the initially selected download option, but at a different quality level.

94. (Currently Amended) The system of claim ~~82-89~~, wherein the processor is further configured, with the logic, to provide the user notice that the download option, selected before the download resource change, is unavailable, and to provide another download option that, if selected, enables the purchasable recordable media content instance to be downloaded at a different time and at a different content quality than the initially selected download option.

95. (Currently Amended) The system of claim ~~82-89~~, wherein the processor is further configured, with the logic, to provide the user notice that the download option, selected before the download resource change, is unavailable, and to provide an another download option that, if selected, enables the user to be placed on stand-by for receiving the purchasable recordable media content instance of the initially selected download option.

96. (Currently Amended) The system of claim ~~82-89~~, wherein the processor is further configured, with the logic, to provide the user notice that the download option, selected before the download resource change, is unavailable, and to provide an another download option that, if selected, enables other purchasable recordable media content to be downloaded in place of the purchasable recordable media content instance of the initially selected download option.

97. (Currently Amended) The system of claim ~~82-89~~, wherein the processor is further configured, with the logic, to provide the user notice that the download option, selected before the download resource change, is unavailable, and to provide an over-ride option that, if selected, enables the user to over-ride the unavailability status and receive the initially selected purchasable recordable media content instance by paying a premium.